
Instructions

Divorce - No Minor Children

Joint Petition

Before You Begin

- Use the Terms & Definitions of frequently used family law terms, available in the Family Court Self-Help Center and on the website, to look up words you do not understand.
 - Be sure that you file your case in the correct county. You or your spouse must have lived in the State of Wisconsin for at least 6 months and in Waukesha County for at least 30 days before the day you file the divorce action.
 - Make sure you have chosen the correct forms for your case.
 - **Caution!** The court requires you to sign some forms in the presence of a Notary Public.
 - Be prepared to pay the filing fees required for your specific court matter.
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Caption

The top of a legal document is called the caption. In the caption of the **Joint Petition**, print the full names (first name, middle initial and last name) of the JOINT PETITIONERS in the appropriate spaces. Call the Child Support Division at (262) 548-7420 to determine if the State of Wisconsin is a party to this case. The State is a party if either you, your spouse, or the children have ever received or applied for public assistance. Mark only one box with an **X** to report if the State is a party or not.

A clerk in the Family Court Office will fill in the case number when you file the action. This is an important number that you will need to remember and submit with all other documents you present to the court. When you file the case, the clerk will also stamp on your forms the name of the Judge that has been assigned to your case.

In the section just below the case number, indicate with an **X** if you are requesting a **Divorce** or **Legal Separation**.

Document

Section I.

Paragraph 1: Print the WIFE'S full name, social security number, date of birth, full address, and occupation (include if the party is a student, disabled, or unemployed).

Paragraph 2: Print the HUSBAND'S spouse's full name, social security number, date of birth, full address, and occupation.

Paragraph 3: Print the date of your marriage and the city and state where your marriage took place.

Paragraph 4: Read through this paragraph. Mark an **X** in the blank **if all** statements are true. If any of the statements are false, you must STOP completing this form and complete the forms labeled

Divorce-With Minor Children.

Paragraphs 5 and 6: Mark an **X** in the correct box to confirm that either JOINT PETITIONER or both have been residents of Waukesha County for more than 30 days, and residents of the State of Wisconsin for more than six months before the day the case is filed.

Paragraph 7 To proceed with divorce in Wisconsin, there must be an allegation that the marriage is irretrievably broken. For a legal separation, an allegation must be made that the marriage is broken. Mark an **X** in the appropriate box. If you are filing for a legal separation, you must also give the reasons why you believe the marriage is broken on the lines that follow.

Paragraph 8: You must inform the court if there are other actions for divorce, annulment, or legal separation currently pending or ever started before in any other court. Mark an **X** in the first box if there has never been a divorce, legal separation, or annulment action filed with regard to this marriage. **If there is an action currently pending, the court must be informed about that action.** If there have been any previous actions filed, list the County and State where the previous action was started, the case number of that action, and when the action was dismissed (at least the year of dismissal).

Paragraph 9: This paragraph informs the court whether you and/or your spouse were previously married and if so, when and how that marriage was terminated. If neither were previously married, mark an **X** in the first box. If either PETITIONER was previously married, then you must provide information on prior marriages and indicate the following information:

- To whom PETITIONERS were married
- How that marriage was terminated (e.g. divorce/annulment/death)
- Date of termination
- Location the judgment was entered.

If either of you were married more than once before, mark an **X** for yes, turn to page five, and continue listing all marriages. If you were not married more than once, mark an **X** for no, remove and throw away page 5, and go on to paragraph 10.

Paragraph 10: List the street addresses of any real estate either or both PETITIONERS own. If you own more than two properties, make an **X** in the box and write the additional addresses on a separate page.

Paragraph 11: Mark an **X** in the box that indicates whether the PETITIONERS have entered into any written agreements regarding maintenance or property division. A copy of the agreement must be attached to the **Petition**.

Section II.

Petitioner's Request

The final 2 sections to complete are what you are requesting of the court. **Note:** If you request something in A or B, it does not necessarily mean that you have to make that same request at the time of trial or in final settlement negotiations.

A: Mark the type of action you have brought before the court.

B: Mark all that apply in Section B that you are requesting of the court.

Restraining Order

Carefully read this section. These provisions become binding on both PETITIONERS when the action is filed.

Signatures

Both PETITIONERS must sign the **Joint Petition** on the bottom of page 4.